THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.4392 OF 2007

DATED: 09-04-2007

BETWEEN

Mohd. Zahooruddin,
S/o. Md. Faqruddin,
Occ: Business,
R/o. H.No.10-3-291/11,
Vijayanagar Colony,
Hyderabad and others.

...PETITIONERS

AND

Sub-Inspector of Police,
Asifnagar Police Station,
Hyderabad and others.

...RESPONDENTS

ORDER:

Petitioner submits that on a complaint lodged by one Mr. Shaik Mohammed Siraj on 26.01.2007 a case in Cr.No.33 of 2007 has been registered against him under Sections 447, 506, 323, 468, 471 and 420 of the Indian Penal Code, 1860 and in that connection the first respondent summoned him to the police station on 25.02.2007 and made him to sit for two hours and pressurized him to produce a non-existing agreement of sale without any justification whatsoever.

2. Counter has been filed stating that for the purpose of the investigation in Cr.No.33 of 2007 only a notice under Section 160/91 of the Code of Criminal Procedure, 1973, has been issued to the petitioner as well the complainant to appear before the Investigating Officer to produce witnesses

and other relevant documents, but the petitioner was never insisted upon to produce a non-existing agreement of sale or any other document. The allegation that the petitioner was insisted upon to produce a non-existing agreement of sale is denied. The other allegation that he was summoned to the police station on 25.02.2007 and made to sit for two hours is also denied.

3. In view of the aforesaid categorical denial of the allegations of the petitioner, I do not see any merits in the writ petition. However, if there is any such illegal action on the part of the respondents 1 and it is always open for the petitioner to make a complaint before the third respondent about the alleged action of the respondents 1 and 2.

The writ petition is accordingly dismissed with the aforesaid observation. There shall be no order as to costs.

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V. ESWARAIAH, J

April 9, 2007
DSK